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9 Attorneys for Defendants
SONESTA INTERNATIONAL HOTELS CORPORATION

10
11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13

14 KEVIN LOPEZ, and individual

15 Plaintiff,

16 vs.

17 SONESTA INTERNATIONAL HOTELS
CORPORATION a corporate, entity form
18 unknown; and DOES 1-50, inclusive,

19 Defendants.
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CASE NO.:

**DECLARATION OF MICHAEL D.
THOMAS IN SUPPORT OF NOTICE
OF REMOVAL OF ACTION TO THE
UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF
CALIFORNIA PURSUANT TO 28
U.S.C. §§ 1332 and 1441(b)**

*(Filed concurrently with Notice of Removal
of Action; Declaration of Kristin Craig;
Notice of Interested Parties, Corporate
Disclosure Statement; and Civil Case
Cover Sheet)*

DECLARATION OF MICHAEL D. THOMAS

I, Michael D. Thomas, hereby declare and state as follows:

1. I am an attorney duly admitted to practice law before all the courts in the State of California and the United States District Court for the Central District of California, where I am in good standing. I am a principal with the law firm of Jackson Lewis PC, counsel of record for Defendant SONESTA INTERNATIONAL HOTELS CORPORATION (“Defendant”). I have personal knowledge of the facts stated in this declaration and if called upon to do so, I could and would competently testify to them. I submit this declaration in support of Defendant’s Notice of Removal of Civil Action.

2. On April 11, 2022, plaintiff Kevin Lopez (“Plaintiff”) filed a civil complaint against Defendant in the Superior Court of the State of California in and for the County of Orange, entitled *Kevin Lopez vs. SONESTA INTERNATIONAL HOTELS CORPORATION*, Case No. 30-2022-01254142-CU-WT-CJC. A true and correct copy of the Notice and Acknowledgment of Receipt, Civil Cover Sheet, Summons and Complaint, Plaintiff’s Statement of Punitive Damages, and Notice of Case Management Conference is attached as **Exhibit A**.

3. In the Complaint, Plaintiff alleges of eight causes of action: (1) sexual orientation discrimination; (2) race/national origin orientation discrimination; (3) failure to prevent discrimination; (4) retaliation; (5) wrongful termination; (6) failure to pay all compensation at termination; (7) failure to pay overtime & wages; and (8) violation of Business & Professions Code § 17200 *et seq.*

4. On April 11, 2022, Plaintiff also filed a Request to Waive Court Fees. On April 18, 2022, Plaintiff’s Request was granted, and an Order on Court Fee Waiver was filed by the Orange County Superior Court. A true and correct copy of the Order on Court Fee Waiver (Superior Court) is attached as **Exhibit B**.

5. On May 25, 2022, Plaintiff served copies of the Notice and Acknowledgment of Receipt, Summons and Complaint, Civil Cover Sheet, Statement of Punitive Damages, and Notice of Hearing of Case Management Conference on the agent

1 of service of process for Defendant.

2 6. On June 14, 2022, counsel for Defendant accepted service and served the
3 signed Notice and Acknowledgment of Receipt on counsel for Plaintiff. A true and
4 correct copy of the signed Notice and Acknowledgment of Receipt is attached as **Exhibit**
5 **C**.

6 7. On June 22, 2022, Defendant filed and served its Answer to the Complaint
7 in the Superior Court of the State of California in and for the County of Orange. A true
8 and correct copy of Defendant's Answer is attached as **Exhibit D**.

9 8. As of the date of this Declaration, the attached Exhibits "A", "B", "C", and
10 "D" constitute all of the pleadings that have been filed or served in this action.

11 9. In paragraph 1 of the Prayer for Relief in Plaintiff's Complaint, Plaintiff
12 prays for all actual, consequential, and incidental damages, including but not limited to
13 loss of earnings and employee benefits, according to proof, but no less than three hundred
14 thousand dollars (\$300,000).

15 10. In paragraph 2 of the Prayer for Relief in Plaintiff's Complaint, Plaintiff
16 further prays for judgment for attorneys' fees, according to proof and statute.

17 11. Plaintiff's Complaint prays for punitive and exemplary damages, along with
18 Plaintiff's Statement of Punitive Damages [CCP § 425.15] expressly stating that
19 "Plaintiff Kevin Lopez reserves the right to seek \$100,000.00 in punitive damages against
20 [Defendant] when he seeks a judgment in the ... lawsuit filed against [Defendant]."

21 I declare under penalty of perjury under the laws of the State of California and the
22 United States that the foregoing is true and correct.

23 Executed this 24th day of June, 2022 at Los Angeles, California.

24 *Michael D. Thomas* _____
25 Michael D. Thomas
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